

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTON PURISIMA,

Plaintiff,

-v-

BILL BRYAN, *et al.*,

Defendants.

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No. 12 Civ. 1278 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

Plaintiff, proceeding *pro se*, initiated this action on February 17, 2012, after the Court dismissed similar claims in a case previously filed by Plaintiff. *See Purisima v. Bryan, et al.*, 11 Civ. 9159. On April 10, 2012, the Court ordered the Clerk of the Court to issue a Summons, and directed Plaintiff to serve the Summons and Complaint upon Defendants within 120 days of the issuance of the Summons. On April 12, 2012, the Pro Se Office mailed a Service Package to the address provided by Plaintiff, which was returned as undeliverable on April 25, 2012. On August 21, 2012 – more than 120 days since the issuance of the Summons – the Court ordered Plaintiff to submit a letter to the Court explaining why service had not been effectuated, and advised Plaintiff that failure to do so could result in dismissal of Plaintiff's action without prejudice. To date, the Court has not received any submissions from Plaintiff. Accordingly, IT IS HEREBY ORDERED THAT this action is dismissed without prejudice pursuant to Rule 4(m) for failure to effectuate service of process and Rule 41(b) for failure to prosecute. The Clerk of the Court is respectfully directed to close this case.

SO ORDERED.

Dated: New York, New York
November 6, 2012


RICHARD J. SULLIVAN
UNITED STATES DISTRICT COURT JUDGE

A copy of this Order was sent to Plaintiff at the following address:

Anton Purisima
390 9th Avenue
New York, NY 10001